

## REMARKS

The present application includes pending claims 1-30, all of which remain rejected. By this Amendment, claims 1-5, 7-8, 10, 12-13, 15-17, 19, 21, 23-24, 26, 28 and 30 have been amended to clarify aspects of the inventions. New claims 31-39 have been added.

Claims 1-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2003/0097655 ("Novak") in view of U.S. 2004/0203379 ("Witkowski"). The Applicants respectfully traverse these rejections for at least the following reasons:

### **I. The Proposed Combination Does Not Render Claims 1-13 Unpatentable**

Claim 1 recites, in part, "server software that . . . responds [to a request that identifies one or more of the associated first, second, and/or third network addresses and authorization information] by identifying at least one other of the one or more of the associated first, second, and/or third network addresses to support the delivery of media to the at least one vehicle system." The Office Action cites Novak as disclosing this limitation. *See* October 31, 2007 Office Action at page 3.

Novak "relates to a system and method for providing conditional access to digital content." Novak at [0002]. Novak describes a system in which a user requests a specific medium, and that user's identity is then established with a verification entity. In particular, Novak discloses the following:

In one implementation, an entertainment device, such as an Interactive Television (ITV) system, sends a user request to view specific digital content to a verification entity. The request may be sent via a persistent network connection, although a temporary network connection may be used in an alternative implementation. The request may be embodied in any suitable format according to the devices and/or software being used.

The user's identity is the established with the verification entity.

*Id.* at [0024]-[0025]. Thus, Novak discloses that a user's request is sent to a verification entity. However, neither that verification entity, nor anything else, **responds to that request by "identifying at least one other of the one or more of the associated first, second, and/or third network addresses."**

The Office Action cites Novak at [0085] as disclosing this limitation. *See* October 31, 2007 Office Action at page 3. This portion of Novak states, however, the following:

In one configuration, the STB 102 communicates with the verification entity 406 through a persistent network connection 408, such as a cable modem, digital subscriber line (DSL), or local area network (LAN) connection. As used herein, the term "persistent" simply means that the STB 102 is generally in communication with verification entity 406 via the network 101, the broadcast center 110, and/or the Internet 112. Accordingly, the STB 102 may communicate with the verification entity 406 at any time without a time-consuming and unreliable dial-in procedure, as in the case of an analog telephone modem. Alternatively, an analog telephone modem may be used as a back-up network connection when the persistent network connection 408 is unavailable. Of course, a temporary network communication may be used within alternative embodiments of the invention, as described hereafter.

Novak at [0085]. As shown above, this paragraph merely indicates that the STB 102 communicates with the verification entity 406. There is nothing in this portion, nor the remainder, of Novak that describes, teaches or suggests "server software that . . . **responds** [to a request that identifies one or more of the associated first, second, and/or third network addresses and authorization information] **by identifying at least one other of the one or more of the associated first, second, and/or third network addresses** to support the delivery of media to the at least one vehicle system," as recited in claim 1. Indeed, neither Novak, nor Witkowski,

alone or in combination with one another, describes, teaches or suggests this limitation. Thus, for at least these reasons, the Applicants respectfully submit that the proposed combination does not render claims 1-13 unpatentable.

Additionally, the Office Action acknowledges that “Novak does not teach at least one authorized vehicle system communicatively coupled to a set top box via the second communication interface.” *See* October 31, 2007 Office Action at page 3. In order to overcome this deficiency, the Office Action relies on Witkowski. *See id.* at page 4.

Witkowski “relates to the transmission of vehicle diagnostic information utilizing a Bluetooth Communication protocol.” Witkowski at [0002]. Witkowski discloses a “first electronic device 12” that communicates with a transceiver within a motor vehicle. *See id.* at [0048]. The “electronic device 12 may comprise a notebook computer, a hand-held PDA, a cellular phone, a pager, or any other portable electronic component.” *See id.* at [0048]. Witkowski does not describe, teach or suggest, however, that the motor vehicle is communicatively coupled to a set top box via a second communication interface. Indeed, there is no mention of a “set top box” within Witkowski. While Witkowski discloses a PC 92, the Applicants respectfully submit that a PC is not a set top box (*i.e.*, a device that connects to a television and converts a received signal into viewable material on the television).

As noted above, the Office Action acknowledges that “Novak does not teach at least one authorized vehicle system communicatively coupled to a set top box via the second communication interface.” *See* October 31, 2007 Office Action at page 3. Further, Witkowski does not even mention a “set top box,” let alone describe, teach or suggest one that is coupled to a vehicle system via a second communication interface. As such, neither Novak, nor Witkowski

describes, teaches or suggests “at least one vehicle system communicatively coupled to the set top box circuitry via the second communication interface.” Because neither of these references describes, teaches or suggests this limitation, the combination of the two together, by definition, also cannot describe, teach or suggest this limitation. Thus, for at least this additional reason, the proposed combination does not render claims 1-13 unpatentable.

## II. The Proposed Combination Does Not Render Claims 14-24 Unpatentable

Claim 14 also recites “at least one vehicle system communicatively coupled to the set top box circuitry.” As discussed above, the proposed combination of Novak and Witkowski does not describe, teach or suggest this limitation. Thus, for at least this reason, the proposed combination does not render claims 14-24 unpatentable.

## III. The Proposed Combination Does Not Render Claims 25-30 Unpatentable

Initially, the Applicants note that the Office Action does not consistently apply the primary reference Novak with respect to the pending claims as shown, for example, in the chart below:

Claim 25	Office Action	Comment
identifying a <b>vehicle system</b> to receive the selected media based upon input from the user;	“identifying a <u>verification entity 406</u> ; where communication with license key 412 and access key from the network interface 302 to receive (the license 411) (para. [0130]) the selected media based upon input from the user”.... See October 31, 2007 Office Action at page 8.	The Office Action substitutes a verification entity 406 of Novak for the vehicle system. Thus, in all other portions of claim 25 in which the “vehicle system” is recited, Novak’s “verification entity 406” should be substituted.
delivering the selected media to the <b>vehicle system</b> if the verification is successful and the <b>vehicle system</b> is available	“delivering ... the selected media to <u>(the display TV 104)</u> if the verification is successful... and the <u>user’s</u>	Even though the claim continues to recite the “vehicle system,” the Office Action applies the “display TV 104”

Claim 25	Office Action	Comment
to receive the selected media; and	<u>set Top Box 102</u> is available to receive the selected media....” See <i>id.</i>	in one instance, and the set top box 102 in another instance.
refraining from delivering the selected media to the <b>vehicle system</b> if the verification is not successful or the <b>vehicle system</b> is not available to receive the selected media.	“refraining ... from delivering the selected media to the user <u>Set Top Box 102</u> ... if the verification is not successful... or the <u>user Set Top Box 102</u> is not available to receive the selected media....” See <i>id.</i>	Even though the claim continues to recite the “vehicle system,” the Office Action applies the “set top box 102.”

The Applicants understand that Novak does not describe, teach or suggest a “vehicle system,” as the Office Action acknowledges. See October 31, 2007 Office Action page 9. Consequently, the Office Action attempts to replace the vehicle system with another component, namely the verification entity 406. In order to establish a *prima facie* case of obviousness, however, the Office Action needed to consistently apply the same substitute component for the vehicle system. As clearly shown above, however, the Office Action substitutes a variety of different components for the vehicle system when the claim consistently recites “vehicle system.” Thus, the Office Action has not established a *prima facie* case of obviousness with respect to claims 25-30 for at least this reason.

Additionally, claim 25 recites, in part, “receiving authorization information from the vehicle system; ... delivering the selected media to the vehicle system if the verification is successful and the vehicle system is available to receive the selected media; and refraining from delivering the selected media to the vehicle system if the verification is not successful or the vehicle system is not available to receive the selected media.”

The Office Action acknowledges that “Novak fails to teach the vehicle system....” *See* October 31, 2007 Office Action page 9. Because Novak does not describe, teach or suggest a vehicle system, it does not describe, teach or suggest receiving authorization information from a vehicle system, or delivering media to, or refraining to deliver media to, a vehicle system based on verification of the authorization information.

In order to overcome this deficiency, the Office Action cites Witkowski. *See id.* In particular, the Office Action cites Witkowski at [0076] and [0077]. *See id.* However, Witkowski merely discloses that “information from the Internet” is “transmitted via the high-speed wireless communications link between the two RF transceivers 10a and 10b automatically.” *See id.* at [0077]. Witkowski does not describe, teach or suggest receiving authorization information from a vehicle system, nor any verification process, in general. Thus, Witkowski also does not describe, teach or suggest receiving authorization information from a vehicle system or delivering media to, or refraining to deliver media to, a vehicle system based on verification of the authorization information.

In sum, neither Novak, nor Witkowski describes, teaches or suggests “receiving authorization information from the vehicle system; . . . delivering the selected media to the vehicle system if the verification is successful and the vehicle system is available to receive the selected media; and refraining from delivering the selected media to the vehicle system if the verification is not successful or the vehicle system is not available to receive the selected media,” as recited in claim 25. Because neither reference describes, teaches or suggests these limitations, the combination of the two references cannot, by definition, describe, teach or suggest these

limitations. Thus, for at least these reasons, the proposed combination does not render claims 25-30 unpatentable.

#### **IV. New Claims 31-39 Are In Condition For Allowance**

New claims 31-39 have been added and should be in condition for allowance for at least the reasons discussed above. The fee for these new claims is calculated as follows:

9 additional claims in excess of 20 X \$50/claim = \$450

1 additional independent claim in excess of 3 X \$210/claim = \$210

**TOTAL = \$660**

#### **V. Conclusion**

In general, the Office Action makes various statements regarding claims 1-30 and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in an Examiner's Answer to an Appeal Brief).

The Applicants respectfully submit that the claims should be allowable for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the Applicants.

Appln. No. 10/672,664  
Amendment Under 37 C.F.R. § 1.111  
December 17, 2007

The Commissioner is authorized to charge any necessary fees, including the \$660 fee for new claims 31-39, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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